

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC) ECF Case

This document relates to:

Ashton v. Al Qaeda Islamic Army, 02 CV 6977
Burnett v. Al Baraka Investment & Development Corp., 03 CV 5738
Cantor Fitzgerald & Co. v. Akida Bank Private Ltd., 04 CV 7065
Continental Casualty Co. v. Al Qaeda Islamic Army, 04 CV 5970
Euro Brokers, Inc. v. Al Baraka Investment and Development Corp., 03 CV 6978
O'Neill v. Al Baraka Investment and Development Corp., 04 CV 1923
New York Marine & General Insurance Co. v. Al Qaida, 04 CV 6105
World Trade Center Properties, LLC v. Al Baraka Investment, 04 CV 7280
Federal Insurance Co. v. Al Baraka Investment and Development Corp., 03 CV 6978

**MOTION FOR AN ORDER ADJOURNING INDEFINITELY THE
TIME FOR DEFENDANT FAISAL ISLAMIC BANK – SUDAN
TO RESPOND TO RECENT PLEADINGS**

Defendant, Faisal Islamic Bank - Sudan (“FIBS”), through its undersigned counsel, moves this Court for an order adjourning indefinitely the time for FIBS to respond to certain pleadings filed by the above plaintiffs. In support of this motion, FIBS states:

1. On April 27, 2005, FIBS filed its motions to dismiss and memoranda of law as to each plaintiff’s complaint. These motions have been fully briefed by the parties, and this Court has not yet issued a ruling on them.

2. In Case Management Order 2 (“CMO2”), the Court ordered that “on July 31, 2005, the plaintiffs shall file an amended complaint that includes all amendments made prior to that date. . .” In an Endorsed Letter dated July 27, 2005 (“Endorsed Letter”), the Court extended the deadline to file amended complaints to September 30, 2005.

3. On or about September 30, 2005, plaintiffs filed various pleadings including, amended complaints, notices of consolidated pleadings, more definite statements, and RICO statements, which may or may not relate to FIBS.¹

4. Paragraph 25 of CMO2 requires that “with respect to motions to dismiss, the parties shall submit to the Court an agreed-upon, proposed briefing schedule.” The parties have not had the opportunity to agree upon a schedule with respect to FIBS responding to plaintiffs’ recent pleadings.

5. Moreover, FIBS proposes that this issue be addressed by Defendants’ and Plaintiffs’ Liaison Committees, and that a stipulated schedule regarding FIBS’ responses, if any, to these pleadings be submitted to the Court for its approval.

6. However, until a schedule can be ordered by the Court, FIBS seeks an indefinite adjournment of any requirement to respond to plaintiffs’ pleadings.

¹ FIBS has not been properly served with the amended complaints filed by plaintiffs, including at least one amended complaint that was filed after September 30, 2005.

WHEREFORE, FIBS moves this Court for an Order adjourning indefinitely the time for FIBS to respond to plaintiffs' amended complaints, notices of consolidated pleadings, more definite statements, and RICO statements.

Dated: October 17, 2005
Tampa, Florida

Respectfully Submitted,

LAURO LAW FIRM

By: _____/s/_____
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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of October, 2005, the forgoing Motion for an Order Adjourning Indefinitely the Time for FIBS to Respond to Recent Pleadings was filed electronically through the Court's ECF/PACER system and was electronically served to opposing counsel pursuant to Court rules.

_____/s/_____
John F. Lauro, Esquire